

Public Chapter 191

SENATE BILL NO. 857

By Davis, McNally

Substituted for: House Bill No. 528

By Windle

AN ACT To amend Tennessee Code Annotated, Title 8, Chapter 35, Part 2, relative to retirement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 35, Part 2, is amended by adding a new section thereto as follows:

8-35-2____. (a) Any member who is employed by a county which participated in the Tennessee Appalachia Education Cooperative shall be eligible to establish retirement credit for time during which such member was employed with the Cooperative if the following conditions are met:

(1) The member has one (1) year or more of current membership service in the retirement system based upon service rendered to the county;

(2) The chief legislative body of the county passes a resolution authorizing an actuarial study to determine the liability associated with such prior service, and accepting responsibility for the costs of such study;

(3) The member files with the county, within sixty (60) days of the passage of the resolution authorizing the study, a notice of the member's intention to establish such prior service. Any member who fails to file the notice of election within the sixty-day period shall not later be eligible to establish such prior service.

(4) Following receipt of the actuarial study, the county adopts a resolution approved by a two-thirds (2/3) majority of the chief legislative body authorizing the prior service and accepting the liability therefor; and

(5) The member makes a lump sum payment to the retirement system equal to the employee contributions such member would have made had such member been a member of the system during the period claimed, plus interest at the rate provided in § 8-37-214.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.